

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: June 20, 2007
POSITION: Oppose
SPONSOR: City of Los Angeles

BILL NUMBER: SB 248
AUTHOR: A. Padilla

BILL SUMMARY: Regulates the Sale, Transfer and Possession of Firearms

This bill would require the Attorney General (AG) to work with interested law enforcement agencies to develop a protocol, by July 1, 2008, through which local law enforcement agencies would be authorized to enter information about crime scene-related firearms, as specified, into the National Integrated Ballistic Information Network (NIBIN). It would also require the Department of Justice (DOJ) to contract with an independent agency to report to the Legislature by January 1, 2010 regarding the implementation of this bill.

FISCAL SUMMARY

At the time of this analysis, the DOJ had not completed a formal analysis of this bill. However, DOJ staff indicate that this bill would likely result in significant General Fund costs to the Department. These costs would be driven by the new workload of: (1) working with local law enforcement agencies to develop the protocol by which information from the local agencies would be entered into the NIBIN, and (2) contracting with an independent agency for the required report to the Legislature.

The California Constitution requires the state to reimburse local government for the costs of any program or increased level of service mandated by the Legislature or any state agency. This bill would not create a reimbursable state-mandated local program because the language is permissive with respect to local law enforcement agencies' participation in the development of the protocol and their submittal of firearm-related information to the NIBIN.

COMMENTS

The Department of Finance is opposed to this bill because it would result in additional General Fund costs that are not included in the Administration's current fiscal plan.

Existing law regulates the sale, transfer, and possession of firearms and requires the DOJ to maintain a registry of all information it receives relating to the sale and ownership of handguns, including information specific to the firearm, its owner, and the seller/dealer.

This bill would:

- Require the AG, in cooperation with law enforcement agencies that choose to participate, to develop a protocol by July 1, 2008 for local law enforcement agencies to cause information about crime scene firearms, bullet samples, and cartridge casings, as specified, to be entered into the NIBIN.
- Authorize local law enforcement agencies to cause the information described above to be entered into the NIBIN using the protocol to be developed pursuant to this measure.
- Require the DOJ to contract with an independent agency to report to the Legislature by January 1, 2010 regarding the implementation of the requirements of this bill.

Analyst/Principal (0211) J. Carosone	Date	Program Budget Manager Todd Jerue	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
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BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)**Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

A. Padilla

June 20, 2007

SB 248

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP							Fund
	RV	98	FC	2007-2008	FC	2008-2009	FC	2009-2010	Code
0820/Justice	SO	No	-----	See Fiscal Summary				-----	0001
8885/Comm St Mndt	LA	No	-----	No/Minor Fiscal Impact				-----	0001